

**TENTATIVE RULINGS for CIVIL LAW and MOTION**  
**September 14, 2009**

Pursuant to Yolo County Local Rules, the following tentative rulings will become the order of the court unless, by 4:00 p.m. on the court day before the hearing, a party requests a hearing and notifies other counsel of the hearing. To request a hearing, you must contact the clerk of the department where the hearing is to be held. Copies of the tentative rulings will be posted at the entrance to the courtroom and on the Yolo Courts Website, at [www.yolo.courts.ca.gov](http://www.yolo.courts.ca.gov). If you are scheduled to appear and there is no tentative ruling in your case, you should appear as scheduled.

Telephone number for the clerk in Department Fifteen: (530) 406-6942

**TENTATIVE RULING**

**Case:** **Ibrahimi v. Lara**  
**Case No. CV G 02-1840**  
**Hearing Date:** **September 14, 2009** **Department Fifteen** **9:00 a.m.**

Defendants' unopposed motion to dismiss this action for failure to prosecute is **GRANTED**. (Code Civ. Proc., §§ 583.310 *et seq.*) The complaint is **DISMISSED WITH PREJUDICE**. Defendants are to prepare the proposed order in accordance with California Rules of Court, rule 3.1312.

**TENTATIVE RULING**

**Case:** **Metz v. Treacy**  
**Case No. CV CV 09-21**  
**Hearing Date:** **September 14, 2009** **Department Fifteen** **9:00 a.m.**

Defendant's unopposed motion to dismiss the complaint is **GRANTED**. (Code Civ. Proc., § 581, subd. (f)(2); Cal. Rules of Court, rule 3.1320(g).) The complaint is **DISMISSED WITH PREJUDICE**. Defendant is directed to prepare the proposed order in accordance with California Rules of Court, rule 3.1312.

**TENTATIVE RULING**

**Case:** **Mendoza v. Joe Muller & Sons**  
**Case No. CV PM 07-1524**  
**Hearing Date:** **September 14, 2009** **Department Fifteen** **9:00 a.m.**

Plaintiff's motion to compel further discovery responses and for monetary sanctions is **DENIED**. The notice of motion and motion filed on August 19, 2009, are based on the discovery responses served on July 7, 2009. It appears that since the plaintiff filed the instant motion, the defendant has served substantive discovery responses. Plaintiff now seeks to compel further interrogatory responses based on the responses served on August 28, 2009. Plaintiff has not provided the required 16 court days' notice for such motion. (Code Civ. Proc.,

§ 1005.) Additionally, it has not been shown that Plaintiff met and conferred concerning the responses served on August 28, 2009. (Code Civ. Proc., § 2030.300, subd. (b).)

Plaintiff may bring a separate motion to compel further responses based on the discovery responses served on August 28, 2009. (Code Civ. Proc., § 2030.300.)

If no hearing is requested, this tentative ruling is effective immediately. No formal order pursuant to California Rules of Court, rule 3.1312 or further notice is required.

**TENTATIVE RULING**

**Case:** **People v. \$483.00 (Spencer Jones)**

**Case No. CV PT 07-605**

**Hearing Date:** **September 14, 2009** **Department Fifteen** **9:00 a.m.**

The People are directed to file a motion to dismiss.